



Teton County Idaho - Commissioners Meeting Agenda

MONDAY, February 25, 2012

LOCATION: 150 Courthouse Drive, Driggs, ID 83422 (208-354-8775)

9:00 AM

Meeting Called to Order – Chairman Park
Pledge of Allegiance & amendments to agenda if any.

“Morning Mic” – Public Q & A

9:30

Teton County Soil Conservation District – Lynn Bagley

DEPARTMENT BUSINESS

- Public Works – Jay Mazalewski, Engineer
 1. Solid Waste
 - a. Auto Brokers Solid Waste Fee Request
 2. Road & Bridge
 3. Law Enforcement Center
- Planning, Building & GIS – Angie Rutherford, Planning Administrator
 1. Department Update
 2. Planning Session with Board

Administrative Business *will be dealt with as time permits*

- Approve Available Minutes
- Discuss correspondence & Sign Documents
- Other Business
- Committee Reports
- Claims

Executive Session per IC § 67-2345(1)(d) indigent matters & (1)(f) legal counsel.

ADJOURN



208-354-2905 ext. 5
FAX: 208-354-8410

Teton County Clerk

89 N. Main #1
Driggs, Idaho 83422

April 10, 2012

Mr. Lynn Bagley
Teton Soil Conservation District
PO Box 87
Driggs, ID 83422

Dear Lynn:

Thank you for your presence and presentation at yesterday's meeting of the Board of County Commissioners. This letter will confirm their decision to budget \$5,737 for the Teton Soil Conservation District during Fiscal Year 2013.

It is mutually understood that these funds will be used to help carry out an active conservation program in Teton County.

Sincerely,

A handwritten signature in cursive script that reads "Mary Lou Hansen".

Mary Lou Hansen
County Clerk

● **MOTION.** Chairman Rinaldi made a motion to approve the claims as presented. Motion seconded by Commissioner Park and carried unanimously.

General	\$107,389.83
Road & Bridge.....	78,275.53
Court & Probation	31,905.93
Revaluation.....	8,445.00
Special Planning Projects	612.00
Solid Waste.....	24,446.69
Building.....	2,407.50
Ambulance.....	37,553.57
Mosquito.....	15.94
Fair	400.00
Grants	87,170.59
Auditors Trust.....	196.46
Court-Restitution	3,608.52
Court-Fines & Fees	23,154.83
TOTAL.....	405,582.39

2012 Request

TETON SOIL CONSERVATION DISTRICT

Chairman Lynn Bagley and Administrative Assistant Lori Ringel reviewed the District's recent projects and accomplishments (Attachment #15) and requested a letter of commitment for \$5,737 in FY 2013 funding, which is the same amount as requested for FY 2012. Mr. Bagley said the county's increased weed control efforts have made a difference, but that there was still plenty of work to do. The Extension Office and Teton SCD are cooperating to offer a weed workshop on May 8. Although the snowpack is not as deep as usual for this time of year, it contains an unusually high water content. The snow water equivalent for the Henry's Fork/Teton River water basin is currently at 86% of average. The Board agreed to budget \$5,737 for the Teton SCD in FY 2013 and asked Clerk Hansen to send a Letter of Commitment.

EXECUTIVE SESSION

● **MOTION.** At 2:42 pm Chairman Rinaldi made a motion for Executive Session to discuss personnel matters pursuant to IC 67-2345(1)(b). Motion seconded by Commissioner Benedict and a roll call vote showed all in favor. The Executive Session ended at 4:15 pm.

UNIVERSITY OF IDAHO LEGAL AID CLINIC

Professor Stephen Miller and third year law students Jeff Butler, Merete Meador, Ky Papke and Cally Younger presented two lengthy memoranda researched and prepared for the County. One provides an analysis of the legality and use of development agreements in Idaho. The other discusses the vacation of subdivisions, vested rights and possible future approaches, including transfer of development rights schemes, impact fees and adequate public facilities ordinances.



WK: 208-354-0245
CELL: 208-313-0245

Teton County Engineer
MEMO

150 Courthouse Drive
Driggs, ID 83422

February 22, 2013

TO: Board of County Commissioners
FROM: Jay T. Mazalewski, PE
SUBJECT: Public Works Update

The following items are for your review and discussion at the February 25, 2013 meeting.

SOLID WASTE

1. Landfill Cap Engineering Services: DEQ is reviewing the contract/scope of work with Forsgen and I am waiting for DEQ's sign off on the scope of work prior to bringing the BoCC the contract.
2. Attached is a solid waste waiver fee application and a response from the Solid Waste Supervisor. I concur with the SW Supervisor recommendation as we do not waive fees based on occupancy.
3. Rocky Mountain Environmental is compiling groundwater information and preparing a response to DEQ's letter regarding the request for additional monitoring wells.
4. I would like to attend the Idaho Solid Waste Association conference/spring training event on March 13 & 14 at Boise State. The training will focus on large scale composting. Per our Admin. Policies overnight requests by department heads must be approved by the BoCC (FYI Saul & Bob will also be attending).

ROAD & BRIDGE

1. The R&B has been plowing when needed.
2. Clay & I attended a pavement presentation seminar in Pocatello on Weds 2/20.
3. Fox Creek/5000S Commuter Lot: The grant was completed and submitted on 2/21.
4. I met with Mark Ricks last week regarding historic plowing routes, priorities, and how to reduce/increase levels of service for existing plow route. Mark offered to help me work on a policy and ranking criteria for these issues. Does the BoCC want me to pursue this? If so, this would probably have to wait until summer or fall based on my current workload.
5. I am scheduled to meet with the Fire District Commissioner on 2/26/2013 to review the road sign study and find funding source to solve the issue.

6. W13500N: Per the BoCC request, below is a chart on how roads can be created by the county. If the BoCC chooses to create a new road, I recommend the road be surveyed and platted. By doing this the location, width, and length of the right-of-way will be known. Additionally, any new road adopted/created by the BoCC should be brought up to current road standards prior to acceptance. Also, any new roads created will not automatically be plowed; the road will need to meet snow plow criteria.

Road creation method	Time frame when this method is available
Blanket legislative recognition	Road in public use by 1881
Formal action by county commission	1864-present
5 years of public use	Before 1893
5 years of public use and public maintenance	1893-present
Common law dedication	Any time
R.S. 2477 roads: any state law method mentioned above or "some positive act or acts on the part of the proper public authorities"	1866-1976
Conveyance, platting, or condemnation	Any time

7. The concrete culverts by the airport are owned by the City of Driggs.

PUBLIC WORKS:

1. Vessel Fund: Search and Rescue is requesting to use a portion of these funds to purchase safety equipment (see attached). This account is funded through motor boat registrations and can be used for law enforcement/safety equipment related to motor boats. We have to spend the \$ collected within three years. Although we budgeted \$5K in this fund we had an additional 9K of carryover of which we must spend this year (see attached sheet). I recommend we approve the requested purchase.
2. Edgewood Estates BLM Access: I have been in contact with the HOA and am trying to coordinate a meeting with the BoCC. Does the BoCC have any specific questions for the HOA that I can relay? Per my research it appears the easement and Edgewood Lane is a non-motorized access to the BLM Land. This is from an agreement between the BoCC and the HOA in 2007.
3. Teton Creek Construction RFQ: Two firms submitted SOQ's and they were ranked last week. I have contacted the State of Idaho on how to best proceed and should know early next week.
4. Law Enforcement Center:
 - a. The City of Driggs has agreed to split the water line extension cost with the county.
 - b. I am working with the City's staff to modify their code to allow emergency communication towers; this will be an ongoing process.
 - c. The first set of bids will be opened at 2:00 pm on March 6th.



TETON COUNTY, IDAHO
ENGINEERING
150 Courthouse Drive
Driggs, ID 83422

Project: County Engineer Task List
Subject: Workload
Designer: JTM
Date: 22-Feb-13

**Below is a list of tasks/projects as if 2/23/13 that I am currently working on or need to complete in the upcoming months*

Finalize Forsgren Contract
Compile Landfill Cap History for Cap Remediation Project
Compile Monitoring well/groundwater history for monitoring well project
Review & Finalize New Road Design Standards
Finalize 2013 paved road treatment projects
Finalize & bid gravel/chip crushing contracts
Coordinate, bid, & permit 3000W Bridge
Finalize, permit & bid Spring/Rapid Creek Culvert
Bid & contract E5000S Rebuild
Bid & Contract crack sealing on county roads
Bid & Contract pathway repairs
Bid & Contract for road striping
Bid & Contract Dust Abatement
Bid/price trucking for 2013 Chip seal project
Bid for port-a-lets at boat ramp accesses
LEC BUILDING
 Write Antenna code amendment w/City
 Waterline coordination w/City
 Finalize LEC Bldg Details
TETON CREEK RESTORATION PROJECT
 Create Bids & contract for Teton Creek construction
 Construction oversight & Admin
Review TVCR recycling plan for Teton County
Finalize SW & Transfer Station Implementation Plan
Design & permit 6000S (Swamp Rd) rebuild
Create RFQ for next bridge design project
Review Mud Lake road and plan for improvements
Finalize Smith Canyon road location with owner & surveyor
Coordinate w/ Edgewood Estates HOA re BLM Access
Create historic road plowing criteria
Update Transportation project list
Update Transportation Capital Improvement Plans
Coordinate & find funding for street sign replacement plan
Master Plan for vessel fund & boat ramp improvements
Master plan w/IDFG for Horseshoe Bridge/RR ROW river access
Master plan & permit Public Works Campus at Transfer Station
Design SAR parking lot drainage & repair plan
Design, Bid, Contract addition for the Fairgrounds building
Research and locate future gravel pit for R&B
Coordinate LEC Building
2014 Budget Planning
Employee Reviews
Bi-Weekly Updates

ACT 50.7
(8/2004)

COUNTY VESSEL FUND REPORTING & REMITTANCE FORM
Idaho Department of Parks and Recreation

Teton County

Our County Vessel Fund has been reconciled for fiscal year 2012. The remittance amount has been calculated as follows:

- | | |
|--|---------------------|
| A) Ending Fund Balance | \$ <u>16,730.16</u> |
| B) Subtract: | |
| Ending balance of moneys not received from the State Vessel Account | (\$ <u>0</u>) |
| Obligated moneys in the County Vessel Fund (See definition in rules) | (\$ <u>481.36</u>) |
| C) Adjusted Ending Fund Balance | \$ <u>16,248.80</u> |
| D) Total received from State Vessel Account for FY <u>2012</u> | \$ <u>7099.67</u> |
| E) Subtract line D from line C. If less than Zero, enter Zero | \$ <u>9,149.13</u> |

If the amount on line E is Zero, no remittance is required.

If the amount on line E is greater than Zero, the surplus moneys must be remitted to the Department by December 20 for deposit to the State Vessel Account, or complete the "Request for Retention of County Vessel Funds" on the reverse of this form. If the amount to be retained is less than the total surplus, complete both sides of this form.

Maryden Hansen
County Clerk

Dated: 12-24-12

You may email a "blue signature" pdf to Lorna.Sutcliffe@idpr.idaho.gov
Or hard copy to:

Idaho Department of Parks and Recreation
Attention: Lorna Sutcliffe, Financial Specialist-Grants
5657 Warm Springs Avenue
Boise ID 83716
208-514-2478

LEISURE SPORTS

INVOICE

1075 S. Hwy 89
PO Box 11510
Jackson, Wyoming 83002
Phone 307-733-3040 Fax 307-734-0413

DATE:
1/10/2013

INVOICE # SARS

Bill To:
SARS

DESCRIPTION			AMT DUE
1	NRS Extreme SAR Drysuit small	\$ 620.00	\$ 620.00
3	NRS Extreme SAR Drysuit medium/large	\$ 620.00	\$ 1,860.00
2	NRS Extreme SAR Drysuit xlarge/xxlarge	\$ 620.00	\$ 1,240.00
30	NRS Foundation tshirt	\$ 17.00	\$ 510.00
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ -
			\$ 4,230.00
			0.00%
		Shipping Charges	
		Payment	
			\$ 4,230.00

THANK YOU FOR YOR BUSINESS!!



Saul Varela, Solid Waste Supervisor
CELL: (208)354-8710
svarela@co.teton.id.us

Teton County
Solid Waste & Recycling
Waiving Tipping Fee Recommendation

Scale House: 1088 Cemetery Rd.
150 Courthouse Dr.
Driggs, ID 83422

Feb 20, 2012

To whom it may concern,

Barbara Griffith is requesting a reduction of solid waste fee-taxes for Corky Walker and Auto Brokers of Jackson on parcel number RP004770000160A due to the fact that the only tenants at this time are Auto Brokers. The rest of the facility is primarily empty. Barbara states in her letter that the total square footage of the building is 8637 feet, which would be 2937 feet of office space and the other 5700 square feet in garage space. The assessor's records shows that there are 5,795 square feet of garage and 3050 square feet of office space in a first and second floor combined. The total footage is 8,845 square feet that the county is charging \$0.15 per square foot, which would bring the total charge to \$1,327.00

They would like for the county to take into consideration the amount of people that are occupying the building and the type of business that it is, however there is no way for the county to verify how many occupants are in each individual building across the county. Charging by the square footage of each building is the best and most fair method of figuring these charges for the county. I do not believe that lack of occupants in a building should be a reason to reduce the solid waste fee on any property. The lack of tenant is based more on the economy and less on whether the solid waste is fair or unfair. All property owners in the county are charged on the same basis whether they have occupants or not.

Thank You,

Saul Varela

Application for Adjustment of Fee(s)

A Schedule of Fees can be found at www.tetoncountyidaho.gov

TO THE BOARD OF COUNTY COMMISSIONERS of Teton County, Idaho
150 Courthouse Drive – Room 109, Driggs, ID 83422 (Fax 1-208-354-8776)

Application is hereby made for an adjustment of fees due to either miscalculation or other reason.
The following sworn statement is submitted in support thereof.

I, Corliss St Walker, of P.O. Box 7509, Jackson Wyoming 83002,

PRINT (Full name) (Home address) (City and State)

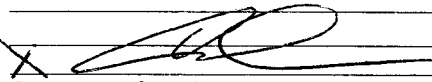
hereby request an adjustment to my Solid Waste_ fee in the amount of \$ 1327 (*Type of Fee*) on the property described below:

LEGAL DESCRIPTION: Tax # lot 16 Section 11 Township 4N Range 45E

PARCEL NUMBER: RP 004770000160A

Describe the circumstances and apply the appropriate criteria (*see reverse side of form*) which best explains the rationale for your request. Attach any and all appropriate documentation concerning your claim.

See Enclosed

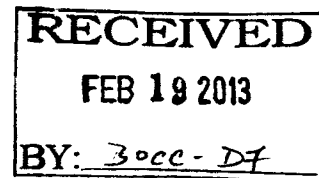
X  2/1/13
Signature of Applicant or Representative Date

BOARD OF COMMISSIONERS ACTION TAKEN: ☺☺ APPROVED ☺☺ DENIED

COMMENTS/REASON:

Chairman of the Board Date

See Reverse side for Solid Waste Fee Criteria and Idaho Statute 31-870



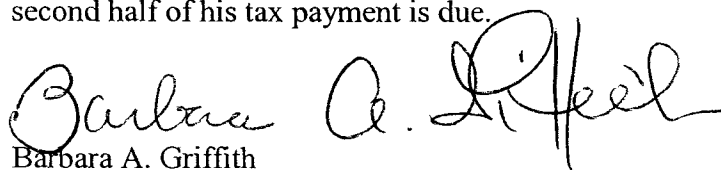
Barbara Griffith
Email: barbaraanne44@live.com
Phone: 509-999-1725

To the Teton Treasure,

I am requesting a reduction of solid waste fee-taxes for parcel number: RP004770000160A, based on our minimal trash usage. The property at 744 Rocky Road Industrial Loop is primarily empty. The one of the six offices is occupied by Auto Brokers of Jackson. Auto Brokers employs one very part time detailer and produces a minuscule amount of office waste. Auto Brokers of Jackson presently uses a half of can a week.

I feel that the property owner is grossly over charged by the assessed amount of solid waste Auto Brokers of Jackson produces. Auto Brokers annual payment to Vorhees Sanitation is \$324.44. Teton County Idaho Tax Collectors are allocating-\$1327.00, which is \$998.56 more than Auto Brokers of Jackson uses or 204.03%. A clear case of taxation without representation! Enclosed are our Voorhees Sanitation Receipts to support our trash usage. Auto Brokers have never been to Driggs Waste Station and does not expect to ever use it.

The total square footage of the building is 8637 feet. The building is 2937 square feet of office space and 5700 square feet garage space). The square footage of the building should not be the only methodology that should be considered. The amount of employees and the type of business should be part of the consideration. I feel it is a gross oversight of the Teton County Treasurer/Tax Collector to put a blanket charge on businesses. I thank you for the opportunity to challenge these solid waste allegations. I look forward to meeting with the board and mediate a reasonable compromise before the second half of his tax payment is due.



Barbara A. Griffith
Representing Corky Walker and Auto Brokers of Jackson



FROM: Planning Staff, Angie Rutherford
TO: Board of County Commissioners
RE: Teton Regional Land Trust Update
DATE: February 20, 2013
MEETING: February 25, 2013

Teton Springs Heli-Ski Operation Update: Since the helicopter skiing operation was approved out of Teton Springs, the planning department has received complaints about safety, noise and smell. The planning staff has done our best to address these issues with the operator the applicant and other agencies.

Economic Development Update: After two years of hard work on both the Comp Plan and on the economic development strategy, the Economic Development Steering Committee met for the last time on Thursday, 2/21/13. They have made final recommendations to the document which, with RPI, we will incorporate into a Final Economic Development Plan for Teton Valley. The committee has recommended that you adopt this final document by resolution. The committee has met over 25 times (as the steering committee, not the comp plan subcommittee) in the past two years and has volunteered hundreds of hours in meetings alone, not including review and preparation time. This committee, appointed by the Board, has provided a great service to the community and I ask that you sign the thank you notes I have prepared. The following individuals are recognized for their commitment to this community:

Pete Koson, Chair
John Bingham
Shannon Brooks-Hamby
Bob Foster
Brian Gibson
Tony Goe

Gloria Hoopes
Hyrum Johnson
Bill Knight
Wayne Maness
Jeff Naylor
Dan Powers

Erica Rice
Doug Self
Lynda Skujins
Anna Trentadue

Planning Session — Last Page from 2/14 Handout

Direction from the BOCC to the Planning Department:

Project Priorities: The newly-adopted Teton County Comprehensive Plan recommends updates to several planning documents. See the attached spreadsheet with the projects summarized. Some of these projects we can complete in-house, while others will require outside expertise. With limited resources available for Comp Plan implementation, which projects would you prioritize to complete with the limited funding available?

- Transportation Plan
- Capital Improvements Plan
- Recreation Master Plan
- Transfer of Development Right Process
- Scenic Assets Inventory/View Corridors

Expedited Application Process: We have an expedited process for a plat amendment application that significantly decreases impacts to the County. We need to adjust this application process either by delegating authority to the Planning and Zoning Commission to make a final decision or by making the process less expedited. State code states that the Planning & Zoning Commission must review applications before the Board. We hope to begin this amendment process quickly as our code is in violation of state statute, but would like to know your general thoughts about which path you would like to take.

Timing of public hearings and motions (should there be a night “to sleep on it”): Public hearings can often go for hours and lead to late nights. It is not uncommon in other jurisdictions to have the board deliberate after the public testimony, but reconvene the next morning to make a motion/decision. This allows time to process the information heard at the public hearing and make a “clear-headed” decision as opposed to one late at night when folks are tired. This does cause an inconvenience for both you and the public if people are waiting to hear a decision. Regardless, waiting to make a decision should be considered and the reasons articulated for whatever decision you decide.

Code Writing: Staff is going to continue to work concurrently with Code Studio’s work to update parts of the code we feel must be changed imminently.

BOCC Agenda Items:

BOCC Goals and Expectations:

Current and Future Planning Challenges:

Board of Teton County Commissioners

MINUTES: February 14, 2013

Commissioners' Meeting Room, 150 Courthouse Drive, Driggs, Idaho

AGENDA

- 12:30 PM Meeting Called to Order – Chairman Park
Amendments to the agenda
Quarterly Brown Bag Lunch & Meeting of County Elected Officials
1:30 Idaho Public Works – Chris Jenkins
2:00 Teton Regional Land Trust – Chet Work, ED
Administrative Business will be dealt with as time permits.
1. Revisions to "Purchasing" and "Claims (Accounts Payable)" policies

 **DRAFT**

ADJOURN

COMMISSIONERS PRESENT: Kelly Park, Sid Kunz (Kathy Rinaldi was at a meeting of the Eastern Idaho Public Health District Board of Directors)

OTHER ELECTED OFFICIALS PRESENT: Clerk Mary Lou Hansen, Prosecutor Kathy Spitzer, Sheriff Tony Liford, Assessor Bonnie Beard, Treasurer Bonnie Hatch, Coroner Tim Melcher

Chairman Park called the meeting to order at 12:45 pm.

ELECTED OFFICIALS MEETING

Chairman Park distributed a Jan. 25 spreadsheet created by the Public Works Director and discussed the options, costs and budget for the Law Enforcement Center.

Clerk Hansen said the County Commissioners plan to create an Employee Advisory Committee to provide recommendations regarding future changes to the county's benefit offerings. Each elected official agreed to ask any of their employees who may be interested in serving on the committee to attend a March 14 informational meeting. American Insurance recommends a maximum of 7-8 employees for this committee, so a narrowing process will be required if too many employees are interested in participating.

Clerk Hansen reminded everyone that the FY 2014 budget process will begin in April. Commissioners Park and Kunz said they will scrutinize staffing levels and needs closely this year.

Last fall, the Commissioners instructed Clerk Hansen to obtain approval from other elected officials before proposing changes to county policies. Therefore, she asked the group what they thought of changes proposed to the "Claims (Accounts Payable)" and "Purchasing" policies. No one had any concerns.

Assessor Beard and Sheriff Liford said the Idaho Transportation Department had proposed a Memorandum of Understanding regarding motor vehicle registration and drivers licensing duties and personnel. Assessors and Sheriffs disliked several provisions of the proposed MOA and it has been withdrawn by ITD.

The elected officials agreed to eat lunch together at the Senior Center on March 14.

PROCUREMENT & PUBLIC WORKS CONTRACTING

Chris Jensen, Regional Manager for the Idaho Division of Building Safety, was present to explain public works contracting and licenses. He distributed a "Procurement and Public Works Contracting" brochure and answered questions. (The brochure was previously adopted by the county as Attachments A and B to the "Purchasing & Contracts" policy, see Attachment #1). Public Works Director Jay Mazalewski said he works closely with Mr. Jensen to be certain that all applicable public works contracting laws are followed.

Mr. Jensen said every subcontractor working on the law enforcement center (LEC) must be a licensed Public Works Contractor and explained the different classes of licenses available, with "D" being the simplest to obtain and "U" being the most difficult. A "D" license costs \$50, requires current net worth of \$10,000, current working capital of \$3,000, and enables the contractor to bid on projects up to \$50,000 in value. A "U" license costs \$550, requires current net worth of \$1 million, current working capital of \$600,000, and enables the contractor to bid on any project, regardless of its value.

There are 16 public works contractors located in Teton County. Only one contractor became licensed as a result of the educational and outreach efforts made by the county last fall. Mr. Jensen offered to assist any local contractor who may want to obtain a license in time to participate in the LEC project.

Since the total cost of the LEC will exceed \$100,000, he said the formal bidding process must be followed and the county will be required to accept the lowest qualified bid for every trade contract, even if that contract is for an amount less than \$25,000. Mr. Jensen said Ormond Builders was an excellent firm and is very familiar with all state requirements. He said a construction manager contract helps manage project costs differently than a standard low bid contract for the total project cost.

TETON REGIONAL LAND TRUST

Executive Director Chet Work said TRLT currently holds 70 easements which protect 10,000 acres in Teton County. Other conservation organizations also hold easements which bring the total protected acreage in Teton County to about 11,000. Mr. Work reviewed his easement map with the Board. He said the owner of the Big Eddy property on the Teton River has eliminated vehicle access, but continues to allow pedestrian access, which is a wonderful public benefit.

Mr. Work said previous Boards requested quarterly updates from TRLT but that an annual update had been provided the past few years. Everyone agreed that an annual update was sufficient.

Mr. Work explained that TRLT staff members conduct annual monitoring visits to every easement property and notify landowners if weed control, or other management action, is needed. TRLT obtains grant funds to supply free chemicals to landowners and has provided \$12,000 since 2008. However, grant funding is becoming more scarce. TRLT also helps owners improve their conservation property through restoration projects.

Planning Administrator Angie Rutherford said the Board has never executed a formal Memorandum of Agreement or a Data Sharing Agreement with TRLT and said such agreements would be appropriate. TRLT currently shares easement data with the county but asks the county not to make that information public because two easement donors desire privacy. Prosecutor Spitzer said all information held by the county is subject to a public records request and suggested that TRLT modify the data shared with the county to exclude any non-public information.

Commissioner Kunz questioned whether the county should be involved with TRLT since it is a private organization working with private landowners. Ms. Rutherford said her department utilizes TRLT data when talking with developers. In addition, TRLT's natural resource and wildlife data were used to create the county overlay maps. Mr. Work said it is helpful for the county and developers to know where conservation easements are located in order to coordinate open space with existing easements to maximize the public benefits. Commissioners Kunz and Park expressed their support for TRLT.

● **MOTION.** Commissioner Kunz made a motion to approve the Memorandum of Agreement and Data Sharing Agreement between Teton County and TRLT. Motion seconded by Chairman Park and carried unanimously. (Attachment #2)

ADMINISTRATIVE

● **MOTION.** Chairman Park made a motion to approve revisions to the "Claims" and "Purchasing" policies as proposed. Motion seconded by Commissioner Kunz and carried unanimously. (Attachment #3)

● **MOTION.** At 2:10 pm Chairman Park made a motion to adjourn. Motion seconded by Commissioner Kunz and carried.

Kelly Park, Chairman

ATTEST

Mary Lou Hansen, Clerk

Attachment #1: Purchasing & Contracts Attachments A & B
 #2: MOA and Data Sharing Agreement with TRLT
 #3: Updated Claims and Purchasing policies

Board of Teton County Commissioners
MINUTES: February 11, 2013

Commissioners' Meeting Room, 150 Courthouse Drive, Driggs, Idaho

 **DRAFT**

AGENDA

9:00 AM

Meeting Called to Order – Chairman Park
Pledge of Allegiance & amendments to agenda if any.

“Morning Mic” – Public Q & A

9:30

Ambulance Service District
1. Approve Available Minutes
2. 12/31/12 Quarterly Update

Teton Valley Health Care (12/31/2012) Quarterly Report
Effective 1/1/2013 – Teton Valley Hospital, Inc. (a Non-Profit Entity)

10:00

DEPARTMENT BUSINESS

- Board of Equalization – Missed Property Roll (*if needed*)
- Emergency Management – Greg Adams, Coordinator

Executive Session per IC § 67-2345(1)(f) Legal Counsel

- Public Works – Jay Mazalewski, Engineer
 1. Solid Waste
 - a. Forsgren Contract – Landfill CAP Engineering Services
 - b. Rocky Mt. Environmental Ground Water Monitoring
 - c. RAD Request to Waive Fees
 2. Road & Bridge
 - a. S. 5000 Grant Application
 - b. N.13500 W. Snowplowing
 3. Law Enforcement Center – JHS Architects & Ormond Construction
- Sheriff's Office – Valee Wells
 1. Job Openings & Job Descriptions

Executive Session per IC § 67-2345(1)(d) indigent matters

Senator Risch's Office – Amy Taylor

Administrative Business *will be dealt with as time permits*

- Approve Available Minutes
- Discuss correspondence & Sign Documents
 1. JPO Wrap-Around Contract 2013
 2. TRPTA FY 2014 Letter of Support
- Other Business
 1. Idaho's 150th Celebration
 2. Town Hall Meeting Schedule Review – 3/25, 6/24 & 9/23
 3. Work Session Agenda Review 3/11 (USFS)
 4. Work Session Agenda Review 2/14 (Planning)
- Committee Reports
- Claims

ADJOURN

COMMISSIONERS PRESENT: Kelly Park, Sid Kunz, Kathy Rinaldi

OTHER ELECTED OFFICIALS PRESENT: Clerk Mary Lou Hansen, Prosecutor Kathy Spitzer, Assessor Bonnie Beard, Treasurer Bonnie Hatch

Chairman Park called the meeting to order at 9:00 am and led the Pledge of Allegiance.

MORNING MIC

Chairman Park said the new Morning Mic session was intended as a way to begin eliminating divisions within the community. He said there must be no name calling and that the Board would not try to answer questions, but would take notes and put items on future agendas as needed.

Kitchener and Sonja Head were present to state their support for the Morning Mic idea. They said the county was doing a great job maintaining their road this winter and asked that the equipment operator responsible be thanked.

The Board had received an email from Alice Stevenson, who said she was unable to attend the Morning Mic session but wanted to comment. Ms. Stevenson's email said the county should participate in grant opportunities and asked the Board to reconsider their decision not to provide 25 hours of county mapping and GIS services. These in-kind services were requested by VARD in support of their EPA Urban Waters Small Grant request to provide funds to help plan a proposed greenbelt along Teton Creek. After receiving the email, Commissioner Kunz said he talked with several landowners and learned some are absolutely not in favor of any type of greenbelt and believe VARD is infringing on their property rights by proposing the idea. Therefore, Commissioner Kunz said he is withdrawing his support of the grant. Commissioner Rinaldi said her understanding was that the grant would pay for planning and outreach efforts in order to learn whether property owners would support the greenbelt concept.

Jen Werlin, Communications and Development Manager for VARD, said her organization has been working with private landowners, Friends of the Teton River and Teton Regional Land Trust and has found considerable support for the greenbelt. Commissioner Kunz said a major landowner on the south side of the creek between Targhee Hills and the former landfill does not support it and that VARD should not say they have property owner support without talking to the property owners. Later in the meeting, the Board received an email from VARD Executive Director Stacey Frisk clarifying that the greenbelt grant would provide funding for planning and design, which would include bringing landowners together, producing maps and scenarios, and conducting appraisals to ensure that willing landowners were fairly compensated. She said Mike Stewart of Targhee Hills Estates had submitted a letter stating that he would donate a pathway easement, but that no other property owners have been included as partners. The grant request has been submitted and included the Letter of Support from Teton County which was approved by the Board on Jan. 28.

AMBULANCE SERVICE DISTRICT

● **MOTION.** At 9:30 am Chairman Park made a motion to recess the Board of County Commissioners meeting and convene as the Teton County Ambulance Service District. Motion seconded by Commissioner Rinaldi and carried. (See Attachment #1 for Draft Ambulance District Minutes.) The Board of County Commissioners meeting resumed at 10:01 am.

TETON VALLEY HEALTH CARE QUARTERLY REPORT

CFO Traci Prenot reviewed the hospital's report for the quarter ending Dec. 31, 2012 (Attachment #2). This will be the last report from the hospital as a county entity since the non-profit conversion became effective January 1, 2013. The hospital financial situation remains stable. Hospital employees received merit-based bonuses in December of approximately 2%. Employee health claims during 2012 resulted in a large increase in group insurance expenses for 2013. During the first quarter of FY 2013, the hospital health plan cost an average of \$2,252 per employee per month.

EMERGENCY MANAGEMENT

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Emergency Management Coordinator Greg Adams reviewed his monthly report (Attachment #3). The County Resource Inventory project is complete and copies have been distributed to cities, agencies and neighboring counties. It provides a list of deployable, publicly owned assets accompanied by photographs and detailed information about the capacities and capabilities of the items. Neighboring counties will finish their Resource Inventories soon and will provide a copy to Teton County. This information will be very valuable in case of a major emergency.

PUBLIC WORKS

Public Works Director Jay Mazalewski reviewed his bi-monthly update (Attachment #4).

TRANSFER STATION. Supervisor Saul Varela said RAD Recycling has requested a waiver of the recycling/sorted waste tipping fee and he recommends approval of a one-year waiver (Attachment #5). Mr. Varela and Mr. Mazalewski had prepared a recycling spreadsheet showing that RAD delivers 48% of the recycled materials that are processed at the transfer station. The RAD-delivered materials cost \$14,831 to process while yielding \$12,285 in revenue. If none of those products had been diverted, and they had all gone to the county landfill instead, the county would have spent \$6,361 in hauling costs and tipping fees to dispose of the material at the Mud Lake landfill. Owner Dave Hudasco said RAD would like to pass any tipping fee savings onto their customers, but would need a three- or five-year waiver in order to change their fee structure. He said it would not be cost-effective for RAD to store the items they collect in order to sell them directly to buyers of recycled materials. He pointed out that Teton County made a large investment in order to process recycled materials and said RAD wants to support that investment by increasing the volume of materials delivered for recycling.

● **MOTION.** Commissioner Rinaldi made a motion to approve a one-year fee waiver for RAD recycled materials. Motion seconded by Commissioner Kunz and carried unanimously.

Chairman Park said RAD is performing a great service and that waste diversion benefits the community. Commissioner Kunz said the county might decide to grant a three- or five-year waiver after the one-year trial period ends.

The Board reviewed Mr. Varela's monthly report (Attachment #6). Regarding the printer mistakenly installed by Total Scales, the Board asked Mr. Varela to negotiate a discounted price with the vendor. There is currently about two feet of snow on the landfill cap. Removing the snow will minimize the amount of leachate that must be handled this coming spring and summer.

● **MOTION.** Commissioner Rinaldi made a motion to approve a permanent tipping fee waiver for the Driggs Darby Cemetery because they are a governmental agency performing public cleanup. Motion seconded by Commissioner Kunz and carried unanimously.

Commissioner Rinaldi said solid waste staff must closely monitor this waiver to ensure that household waste is not added.

LANDFILL. Mr. Mazalewski had hoped to have a Forsgren Engineering contract ready for the Board's approval. However, he obtained their draft document late Friday afternoon, Feb. 8, and needed clarification of many items. He has arranged a meeting with Forsgren and Idaho DEQ to discuss the scope of services required and hopes to have a contract ready by Feb. 25.

Regarding additional monitoring wells, Mr. Mazalewski said it was not uncommon for DEQ to request more wells than may actually be required. He recommended contracting with Rocky Mountain Environmental to review/amend the county's existing monitoring well plan, respond to DEQ's Dec. 25, 2012 letter, and design/permit/bid construction of up to three additional monitoring wells, depending upon final DEQ decisions.

● **MOTION.** Commissioner Rinaldi made a motion authorizing Mr. Mazalewski to negotiate a contract with Rocky Mtn Environmental for monitoring well services as outlined in their Feb. 6, 2013 letter, but using the IRS mileage rate. Motion seconded by Commissioner Kunz and carried unanimously. (Attachment #8)

ROAD & BRIDGE. The Board reviewed the Road & Bridge portion of Mr. Mazalewski's bi-monthly report (Attachment #4). The proposed commuter parking lot at 5000S would improve an already existing parking area. Both TRPTA and Grand Targhee have said the improved lot could become an established stop on their commuter bus routes.

● **MOTION.** Commissioner Rinaldi made a motion to approve the grant application proposal for an Idaho Department of Transportation grant to fund a Fox Creek Park & Ride facility. Motion seconded by Chairman Park and carried unanimously. (Attachment #9)

SNOWPLOWING OF W13500N. Per the Board's Jan. 28 request, Mr. Mazalewski researched the historical status of the ¼ mile segment of W13500N where snowplowing was discontinued Dec. 10 due to the lack of a county right-of-way and associated liability concerns. He learned the segment has been included on the ITD Pay Map but was not included on the Teton County Roads & Rights of Way Map adopted in 2006. He could find no reference to a plowing agreement, road exchange, road vacation or road adoption related to this road segment in any previous Commissioner meeting minutes. Mr. Mazalewski said the ¼ mile segment was removed from the ITD Pay Map after the Board's Dec. 10 decision. Ben Brown said there are two residences at the end of the ¼ mile road segment; his grain and potato storage facilities are located along a plowed road.

Neighbor Mark Ricks asked why the county had ceased plowing a road after 35 years. He wondered whether there was a protocol to remove roads from the plow map. He said it was important to maintain farm to market roads and inquired whether there was a process for prioritizing chip seal and dust control.

Mr. Mazalewski said he sought guidance from the Board in December because the road segment was the only one he was aware of that was on the plow map without also being on the right of way map and he was concerned about liability issues. Road and Bridge Supervisor Clay Smith said a problem arose last winter when the snowplow driver hit a car parked on the side of the road. At that time it was discovered that the county's liability insurance would not cover the damage since the car was parked on private property and not on a county right of way. Chairman Park said the Board voted to remove the road from the plow map because the county had no right of way.

Commissioner Kunz said the county must support farmers, which would be consistent with the Comp Plan because it prioritizes agriculture. He said the Board works for the people and should be more service-oriented. He said the road has been plowed for 35 years and should continue to be plowed because it is only ¼ mile long and would require only 5-10 minutes of plow time.

Commissioner Rinaldi said the county has refused to plow roads with more intense usage than this road and should follow a policy in order to be fair and consistent with every resident. She pointed out that road maintenance funds are very limited and that one group of property owners should not subsidize another. In recent years, the Board has used written criteria to determine which roads should be added to the plow list. This is the only way to be fair to everyone versus making decisions based upon who one knows. Commissioner Rinaldi stressed that funding must always be considered when discussing road maintenance issues.

Commissioners' Assistant Dawn Felchle facilitated the 2006 road hearings and said a legal process must be followed in order to add or delete a right of way from the county map. A formal application and public hearing is required before any decision is made. She pointed out that many people live just a few minutes off a county road and would probably like their driveways to be plowed by the county.

Mr. Ricks said county policy should be to grandfather in previously plowed roads. He said the county plows the road to his house and has done so for many years. If residents want to protect their open space they must

support agriculture. He said folks could probably agree that if a road has been plowed for 25-30 years, and accesses a farm which is the hub of a \$2-3 million business, that it should continue to be plowed.

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Prosecutor Spitzer said this ¼-mile road is a private driveway not used by the public. She said the county would not claim a prescriptive easement to the road because such easements are used when the public has a need for the road, such as providing access to the Forest or to neighboring land, not when a landowner wants to obtain county services. If the Board decides to plow the road due to its grandfathered status, she said the county could discontinue plowing if the usage changed in the future. She suggested that Mr. Brown initiate the process required to add a road to the county right of way map. However, before the public hearing occurs, she said the Board needs to adopt a policy regarding how to determine whether a road would be added to the county map. Commissioner Kunz said he did not want the Browns to spend \$1,200 to submit a right of way application without knowing whether the county would approve the request.

The Board asked Mr. Mazalewski to investigate the prescriptive right of way aspect of the road and to work with Mr. Brown to complete their right of way application. He was also asked to consult with Mr. Ricks to develop proposed criteria regarding snowplowing and road rights of way.

LAW ENFORCEMENT CENTER. Mr. Mazalewski will meet with the Driggs P&Z Commission Feb. 13 regarding a code amendment exempting critical service facilities from the city height requirement. This amendment would permit installation of an antenna on the new Law Enforcement Center. Mr. Mazalewski has investigated water line alternatives and recommends partnering with the City of Driggs as the most cost efficient and expedient option. The Board concurred and agreed the county would pay half of the installation costs for the new water line.

Architect Paul Jensen said the plans will be final by Feb. 15 and will include several cost saving measures requested by the County. Further savings might be possible by eliminating the crash protection currently included on the east and north walls. Construction Manager Arden Smith said only the dispatch center requires crash protection and is protected by its location on the west end of the building.

Mr. Smith said the county will execute a total of about 25 trade contracts that would be decided during two main bidding cycles. The primary bids will be let first so that the project can start in March or April. He will place advertisements in the local newspaper Feb. 14, 21 and 28 and will also mail post cards and make phone calls to licensed public works contractors in southeast Idaho.

A public bid opening will be held Wednesday, March 6 at 2 pm, during which bids will be opened and the bidders and prices will be itemized on a bid sheet. After the opening, Mr. Smith will review the bids for completeness and will verify that the contractor possesses all required licenses. On March 11, the Board will approve contracts with the successful low bidders.

Commissioner Kunz asked how the county could be sure that every contractor is providing a price based upon exactly the same scope of work. Mr. Smith said their contracts describe the scope of the project and refer to a specific set of plans and associated detail.

SENATOR JAMES RISCH

Senator Risch representative Amy Taylor introduced herself to the Board. She said Senator Risch and his staff are available to assist the Board and county residents whenever they're dealing with Federal issues. Senator Risch has hired a new grant specialist who can be very helpful regarding state and Federal grants. Ms. Taylor also distributed a handbook listing grant opportunities before departing to meet with local high school students.

SHERIFF OFFICE

The Sheriff's Administrative Manager of Operations, Valee Wells, was present to discuss changing job duties within the Sheriff's office and to request Board approval to replace the Civil Deputy, who has resigned. She said the Drivers License position has been modified to include office assistant duties and BDPA has recommended increasing the pay grade from 2 to 3. The Civil Deputy job description has also

been modified and BDPA recommends decreasing the pay grade from 6 to 5 if the position no longer includes "serving" civil documents. Ms. Wells said the Civil Deputy serves documents to banks and commercial locations and also posts notices on private properties, however Sheriff Deputies serve documents to private residences. She agreed with the BDPA recommendation that a pay grade 5 would be appropriate for the position. (Attachment #10)

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ADMINISTRATIVE

● **MOTION.** Commissioner Rinaldi made a motion to approve the minutes of January 28 as presented. Motion seconded by Commissioner Kunz and carried.

● **MOTION.** Chairman Park made a motion to send a letter in support of TRPTA's application for a FY 2014 rural grant. Motion seconded by Commissioner Rinaldi and carried unanimously.

JUVENILE PROBATION WRAPAROUND CONTRACT. Chief JPO Brittany Campbell said the current counselor is operating without a contract, but has been receiving \$55 per hour. She is proposing use of a contract obtained from a neighboring county and reviewed by Prosecutor Spitzer. The contract will specify a \$40 per hour rate for the counselor with the remaining \$15 per hour paid by the state used for administrative costs and flex funding for the juvenile and family. The current counselor is willing to sign the contract, which will become effective March 1.

● **MOTION.** Chairman Park made a motion to approve the proposed contract with Adam Williamson for Wraparound services for juveniles. Motion seconded by Commissioner Rinaldi and carried unanimously. (Attachment #11)

IDAHO'S 150th. Several citizens would like to attend the March 4, banquet at Fort Hall in celebration of the 150th anniversary of President Lincoln's signing of the Congressional Act creating the Territory of Idaho. Tickets will cost \$25 each. The Board decided not to spend taxpayer money to send county representatives.

TOWN HALL MEETINGS. The Board agreed to hold town hall meetings from 7-8:30 pm on March 25, June 24 and September 23 in the Commissioners Meeting room at the courthouse. There will be no agenda, no audio recording and no formal minutes. No staff members will be expected to attend, although they would be welcome. The Board will listen to members of the public but will be careful not to deliberate towards any decisions and will place items needing further discussion on agendas for future Board meetings.

COMMITTEE REPORTS. Chairman Park participated in a recent meeting of High Country RC&D. He and Commissioner Kunz attended the IAC Legislative Conference in Boise Feb. 4-7 and said the meetings were very informational. They heard much discussion about personal property tax relief, Medicaid expansion, Health Care exchange and other legislative issues of interest to county government.

Commissioner Kunz attended the Feb. 8 meeting of the Teton Area Advisory Forum. Forest Ranger Jay Pence would like TAAF to collect information regarding prescribed burns proposed in Teton Canyon. Since this is sure to be a controversial undertaking, Ranger Pence wondered if the County could provide funding for TAAF involvement and a neutral party.

● **MOTION.** Commissioner Rinaldi made a motion to approve the following claims as presented. Motion seconded by Chairman Park and carried unanimously.

General	\$19,591.06
Road & Bridge	10,468.06
Court & Probation	631.03
Elections	382.85
Revaluation	9,840.00
Solid Waste	20,894.59
Road Levy	128,797.89
E911	7,589.78

Ambulance	39,065.87
Mosquito	1,771.66
Fair	509.53
Auditor's Trust	129.70
Court-Restitution	3,299.00
Court-Fines & ees.....	24,223.30
P&Z Trust Fund	39,331.00
TOTAL.....	\$306,525.32

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EXECUTIVE SESSION

● **MOTION.** At 1:54 pm Chairman Park made a motion for Executive Session to discuss indigent matters pursuant to IC 67-2345(1) (d). Motion seconded by Commissioner Rinaldi and a roll call vote showed all in favor. The Executive Session ended at 2:08 pm.

● **MOTION.** Commissioner Rinaldi made a motion to: (1) deny case 1T 2013-10024 because the county is not the last resource; (2) deny 1T 2013-10025 due to a lack of cooperation and information; and (3) deny 1T-2013-10027 because the applicant is not a county resident. Motion seconded by Chairman Park and carried unanimously.

● **MOTION.** At 2:10 pm Commissioner Rinaldi made a motion to adjourn. Motion seconded by Chairman Park and carried.

Kelly Park, Chairman

ATTEST

Mary Lou Hansen, Clerk

Attachments: #1 Draft minutes of 2/11/13 Ambulance Service District
 #2 Teton Valley Health Care Quarterly Report
 #3 Monthly Emergency Management Report
 #4 Bi-monthly Public Works Update
 #5 Tipping fee waiver for RAD Recycling
 #6 Monthly Solid Waste Update
 #7 Driggs Darby Cemetery Tipping Fee waiver
 #8 Rocky Mountain Environmental proposal for landfill consulting services
 #9 ITD Grant Application Proposal for Fox Creek Park & Ride facility
 #10 BDPA recommendation regarding Sheriff's Civil Deputy and Drivers License/Office Assistant
 #11 Wraparound services Agreement with Adam Williamson